

FILED  
U.S. DISTRICT COURT  
SALAMAN DIV.

2009 APR 13 AM 9:50

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

COREY T. PINKNEY,

Plaintiff,

v.

Sergeant JAVAKA JOHNSON,  
and Lt. FORD,

Defendants.

CIVIL ACTION NO.: CV608-054

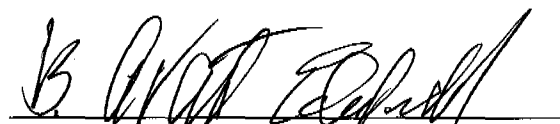
**ORDER**

Presently before the Court are Plaintiff's Objections, as supplemented, to the Magistrate Judge's Report and Recommendation. Plaintiff asserts his grievance counselor instructed him to mail his appeal to the Commissioner's Office rather than giving his appeal back to the counselor. Plaintiff also asserts he was not aware of the Standard Operating Procedures governing the grievance and appeal processes at the time he mailed his appeal to the Commissioner's Office. Plaintiff contends his appeal did not reach the Commissioner's Office.

Plaintiff did not exhaust his administrative remedies prior to filing this cause of action, as required by the applicable case law and the Georgia Department of

Corrections' Standard Operating Procedures. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Defendants' Motion to Dismiss is **GRANTED**. Plaintiff's Complaint is **DISMISSED**, without prejudice, due to Plaintiff's failure to exhaust his administrative remedies prior to filing his Complaint. The Clerk of Court is authorized and directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 13<sup>th</sup> day of April, 2009.

  
B. AVANT EDENFIELD JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA